

SENATE BILL 1431

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 4; Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9, relative to in-state tuition and fees for dependent children of military parents who die as a result of a targeted attack in Tennessee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new section:

(a) As used in this section:

(1) "Dependent child" means a natural child, stepchild, or adopted child who is either living with or receiving regular support contributions from a military parent at the time of the military parent's death. "Dependent child" also means a posthumous child;

(2) "Military parent" means a parent of a dependent child who is:

(A) A member of the armed forces engaged in active military service of the United States; or

(B) A member of the Tennessee national guard engaged in active military service of the United States;

(3) "State institution of higher education" means any postsecondary institution operated by the board of trustees of the University of Tennessee system or the board of regents;

(4) "Targeted attack" means an act of violence perpetrated on a military parent while the military parent is engaged in the performance of the military parent's assigned military duties; and

(5) "Tennessee national guard" means any federally recognized unit of the Tennessee army or air national guard.

(b) Subject to the conditions in subsections (c), (d), and (e), a state institution of higher education shall charge a dependent child under twenty-three (23) years of age, whose military parent died as a result of a targeted attack that occurred in Tennessee, in-state tuition and fees regardless of the dependent child's domicile or place of residence during the dependent child's enrollment in the institution.

(c) Every dependent child desiring in-state tuition and fees under this section shall make application to the state institution of higher education, as required by the board of regents or the University of Tennessee system. The application shall be accompanied by evidence satisfactory to the institution that the military parent was killed as a result of a targeted attack that occurred in Tennessee while performing military duties related to the military parent's active military service.

(d) The dependent child may only receive in-state tuition and fees if the dependent child possesses the necessary qualifications required for admission to the state institution of higher education the child desires to attend and is admitted to the institution.

(e) The age limitation provided for dependent children in subsection (b) shall not be strictly applied. To be eligible for in-state tuition and fees under this section, a dependent child shall be matriculated as a full-time student at a state institution of higher education prior to attaining twenty-three (23) years of age. Once declared eligible, a dependent child shall remain eligible until one (1) of the following events has occurred:

(1) Prior to attaining twenty-three (23) years of age, the dependent child earns an undergraduate degree or certificate;

(2) The dependent child has earned one hundred thirty-five (135) semester hours, or the equivalent, excluding required remedial or developmental hours; or

(3) The dependent child has attempted one hundred fifty (150) semester hours, or the equivalent, inclusive of required remedial or developmental hours.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.